

AKIN GUMP
STRAUSS HAUER & FELD LLP

Attorneys at Law

R. LAURENCE MACON
210.281.7222/fax: 210.224.2035
lmacon@akingump.com

October 12, 2009

Via Overnight Delivery

Honorable Leonard Davis
United States District Judge
Eastern District of Texas
211 West Ferguson Street, Third Floor
Tyler, Texas 75702

Re: *JuxtaComm Technologies, Inc. v. Ascential Software Corp., et al.*; Civil Action No. 2:07-CV-00359-LED; In the United States District Court for the Eastern District of Texas, Marshall Division.

Dear Judge Davis:

This is to confirm that the parties in the above listed matter will participate in the Telephonic Status Conference Call on October 13, 2009 at 11:00 AM. The parties will be represented on the call by the following attorneys:

JuxtaComm Technologies
R. Laurence Macon ✓
Steven M. Zager ✓
Kirt S. O'Neill ✓
Melanie G. Cowart ✓
Bruce A. Smith ✓

IBM and Ascential
John Desmarais ✓
Robert Appleby ✓
James Marina ✓

Jeff Saxon

Microsoft Corporation
Kelly Hunsaker ✓
David Healey ✓
Rob Lytle (Microsoft in-house counsel) ✓
~~Ruffin Cordell (tentative)~~

Business Objects
Bijal Vakil ✓

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Sincerely,

R.L.M.

R. Laurence Macon

Enclosures

cc: Defense Counsel (*via e-mail w/o enclosure*)
T. John Ward, Jr., Esq. (*via e-mail w/o enclosure*)